



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,690	10/12/2004	Tetsuro Fukumoto	259741US6PCT	6697
22850 7590 03/27/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER MEYERS, JAMES A	
			ART UNIT 2609	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/27/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/509,690	<b>Applicant(s)</b> FUKUMOTO ET AL.	
	<b>Examiner</b> James A. Meyers	<b>Art Unit</b> 2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/12/2004</u>  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to the initial filing of October 12, 2004. Claims 1-14 are pending and have been considered below.

#### ***Claim Objections***

1. Claims 1 and 14 are objected to because of the following informalities: The word "with" in the last paragraph of Claim 1 appears to be a typographical error. The Examiner will examine the claim as "wherein a female screw...". The word "switch" in Claim 14 should read "switches". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 12-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 12-14 recite the limitation "the insertion section" in the 7<sup>th</sup>, 3<sup>rd</sup>, and 4<sup>th</sup>/5<sup>th</sup> lines of the claims, respectively. There is insufficient antecedent basis for this limitation in the claim. The Examiner will read this as "the attachment section containing the crew insertion hole".

5. Claim 13 recites the limitation "the female screw for tripod attachment" in the second line of the claim. There is insufficient antecedent basis for this limitation in the

Art Unit: 2609

claim. The examiner will consider the claim as dependent on Claim 12, which discloses "a female screw for tripod attachment".

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Shigeru et al. (JP 2002-006389).

**Claim 1:** Shigeru discloses a covering for a collapsible lens-type camera comprising:

(a) an attachment section to be mounted on the case in a detachable manner (figure 1); and

(b) a lens barrel housing section connected to the attachment section for housing the lens barrel (figures 1 and 5),

(c) wherein the lens barrel housing section includes a cylindrical wall section covering the lens barrel (figures 1 and 3) and an opening provided at the front of the cylindrical wall section so as to expose a front end of the lens barrel (column 2, paragraph 6),

Art Unit: 2609

(d) wherein the cylindrical wall section is formed of an internal diameter and length such that the lens barrel positioned at the projection position is covered (column 2, paragraph 6 and figure 5),

(e) wherein a female screw for attaching optical component is formed at the opening (column 6, paragraph 29 and figure 5).

**Claim 2:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, and further discloses that:

(a) the attachment section includes a first member and a second member swingably engaging with each other in a detachable manner (figure 1), the first member having a front wall that comes into contact with a portion of a front surface of the case nearer the lens barrel (column 3, paragraphs 12 and 13), and the second member having a rear wall that comes into contact with a rear surface of the case (column 3, paragraphs 12 and 13);

(b) attachment of the attachment section on the case is achieved by making the first member and the second member connect in a state that the case is sandwiched with the front wall and the rear wall in a direction from front to rear (column 3, paragraphs 12 and 13, figure 1); and

(c) the lens barrel housing is provided (attached) on the first member (figure 3).

**Claim 5:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 2 above, and further discloses that the first member and the second member have a side

Art Unit: 2609

wall respectively which comes into contact with a side surface of the case (figures 1 and 3).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shigeru et al. (JP 2002-006389).

**Claim 9:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, and further discloses that the lens barrel housing is made from a hard material (claim 2) and that it is not necessary to form the whole covering from a transparent and flexible material (column 4, paragraph 17). While Shigeru does not explicitly disclose that both sections are made from a rigid synthetic resin, it would have been obvious to one having ordinary skill in the art at the time of the invention that both parts of the covering could be made from any material suitable to protect the camera from the elements, including hard plastic (a rigid synthetic resin). One would have been motivated to make the entirety of the cover of Shigeru out of hard plastic to increase the durability of the cover and increase the protection of the camera.

Art Unit: 2609

**Claim 10:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, and further discloses that

(a) a metallic ring is embedded and fixed at a front end of the cylindrical wall section (column 2, paragraph 6);

(b) the opening is formed on the inside of an inner peripheral surface of the ring (column 2, paragraph 6 and figure 1); and

(c) the female screw is formed on the inner peripheral surface of the ring (column 6, paragraph 29).

Shigeru discloses that the lens barrel housing is made from a hard material (claim 2) and that it is not necessary to form the whole covering from a transparent and flexible material (column 4, paragraph 17). While Shigeru does not explicitly disclose that both sections are made from a rigid synthetic resin, it would have been obvious to one having ordinary skill in the art at the time of the invention that both parts of the covering could be made from any material suitable to protect the camera from the elements, including hard plastic (a rigid synthetic resin). One would have been motivated to make the entirety of the cover of Shigeru out of hard plastic to increase the durability of the cover and increase the protection of the camera.

**Claim 11:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, and further discloses that it is not necessary to form the whole covering from a transparent material (column 4, paragraph 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention that the lens barrel housing

could be formed from a material that blocks out light. One would have been motivated to do so to prevent extraneous light signals from entering the lens barrel through the housing, instead of through the opening in the housing.

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shigeru et al. (JP 2002-006389) in view of Maitani et al. (US 4,273,434).

**Claim 7:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, but does not disclose that the cover is provided with an opening and closing member for opening and closing the eyepiece window at a portion where the attachment section faces the eyepiece window. However, Maitani discloses a sliding cover for a camera that opens and closes the eyepiece window (column 2, lines 14-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to add the sliding member opening and closing the eyepiece to the cover of Shigeru. One would have been motivated to do so ensure that the user of the camera covered by the cover of Shigeru did not use the eyepiece window when a filter or lens was attached to the end of the lens barrel housing, thereby framing the wrong field of view.

11. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shigeru et al. (JP 2002-006389) in view of Yamaguchi et al. (US 4,847,648).



Art Unit: 2609

**Claim 8:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, but does not disclose that the cover is provided with an opening and closing member for opening and closing the finder lens at a portion where the attachment section faces the finder lens. However, Yamaguchi discloses a camera with a barrier moveable between an opening position to expose the finder lens portion and the closing position to close the finder lens portion. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to add the moveable barrier of Yamaguchi to the cover of Shigeru. One would have been motivated to do so ensure that the user of the camera covered by the cover of Shigeru did not use the finder lens when a filter or lens was attached to the end of the lens barrel housing, thereby framing the wrong field of view.

12. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shigeru et al. (JP 2002-006389) in view of Akira (JP 02-201340).

**Claim 12:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, but does not disclose that a screw insertion hole is formed at a portion of the attachment section facing the female screw for tripod attachment and that the lens adapter is configured in such a way that the attachment section containing the screw insertion hole is fixed on the case by screwing an attachment screw into the female screw for tripod attachment via the screw insertion hole. However, Akira discloses an attachment for a camera with a screw insertion hole formed at a portion of the

Art Unit: 2609

attachment section facing the female screw, and that the attachment is fixed on the case by screwing an attachment screw into the female screw via the screw insertion hole (figure 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to include the screw insertion hole of Akira into the cover of Shigeru. One would have been motivated to do so to allow for the camera covered by the cover of Shigeru to be mounted on a tripod while still being protected by the cover.

**Claim 13:** Shigeru and Akira disclose a covering for a collapsible lens-type camera as in Claim 12 above, and Akira further discloses that the attachment section facing the screw insertion hole faces a lower surface of a case. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to place the screw insertion hole in the lower surface of the cover of Shigeru. One would have been motivated to do so because the vast majority of cameras with female screws for tripod attachment have the screw located in the bottom portion of the case.

13. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shigeru et al. (JP 2002-006389) in view of Oliver et al. (JP 03-067322).

**Claim 14:** Shigeru discloses a covering for a collapsible lens-type camera as in Claim 1 above, but does not disclose that the attachment section is attached to the case in a way to expose various switches for use in photographing. However, Oliver discloses a camera attachment that is attached to the case in a way that exposes various switches

Art Unit: 2609

for use in photographing. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to expose various switches when using the covering of Shigeru. One would have been motivated to do so to allow the user ease of access to the manual controls of the camera while still protecting the optics from damage.

### ***Allowable Subject Matter***

14. Claims 3, 4 and 6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record does not teach or render obvious the limitations as recited in Claims 3 and 4, specific to the semi-cylindrical walls on the first and second attachment sections combining to form a single cylindrical wall section and thereby also forming the lens barrel housing section.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Meyers whose telephone number is 571-270-1690. The examiner can normally be reached on Mon-Fri (Alternate Fridays Off), 7:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on 571-272-6722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2609

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/16/2007  
JM



James W. Myhre  
Supervisory Patent Examiner